

## **MITIGATED NEGATIVE DECLARATION**

September 7, 2006

Project Name: Peaceful Valley Ranch Fire Station

Project Number(s): S04-042RPL<sup>3</sup>, Log No. 04-19-007A

**This Document is Considered Draft Until it is Adopted by the Appropriate  
County of San Diego Decision-Making Body.**

This Mitigated Negative Declaration is comprised of this form along with the Environmental Initial Study that includes the following:

- a. Initial Study Form
  - b. Environmental Analysis Form and attached extended studies for Archaeological Resources, Stormwater, Drainage, and Noise.
1. California Environmental Quality Act Mitigated Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.
2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

## **DEPARTMENT OF PUBLIC WORKS (DPW) CONDITIONS**

- A. The payment of the Transportation Impact Fee, which will be required at issuance of building permits, in combination with other components of this program, will mitigate potential cumulative traffic impacts to less than significant.

## **DEPARTMENT OF PLANNING AND LAND USE (DPLU) CONDITIONS**

### **Grading Monitoring and Data Recovery Program for Archaeological Resources**

Prior to obtaining any building or other permit pursuant to this Site Plan, and prior to commencement of construction of use of the property in reliance on this Site Plan, the applicant shall:

- A. Implement a grading monitoring and data recovery program to mitigate potential impacts to undiscovered buried archaeological resources on the Peaceful Valley Ranch Rural Fire Station Project, S04-042R/Log No. 04-19-007A to the satisfaction of the Planning Director. This program shall include, but shall not be limited to, the following actions:
  - 1. Provide evidence to the Department of Planning and Land Use that a County certified archaeologist has been contracted to implement a grading monitoring and data recovery program to the satisfaction of the Director of Planning and Land Use (DPLU). A copy of the contract as well as letter from the Project Archaeologist shall be submitted to the Director of Planning and Land Use. The contract shall include the following guidelines:
    - a. The consulting archaeologist shall contract with a Native American monitor to be involved with the grading monitoring program.
    - b. The County certified archaeologist/historian and Native American monitor shall attend the pre-grading meeting with the contractors to explain and coordinate the requirements of the monitoring program.
    - c. The consulting archaeologist shall monitor all areas identified for development.

- d. An adequate number of monitor (archaeological/historical/ Native American) shall be present to ensure that all earth moving activities are observed and shall be on-site during all grading activities.
- e. During the original cutting of previously undisturbed deposits, the archaeological monitor(s) and Native American monitor(s) shall be onsite full-time to perform full-time monitoring as determined by the Principle Investigator of the excavations. The frequency of inspections will depend on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features.
- f. Isolates and clearly non-significant deposits shall be minimally documented in the field and the monitored grading can proceed.
- g. In the event that previously unidentified potentially significant cultural resources are discovered, the archaeologist shall have the authority to divert or temporarily halt ground disturbance operations in the area of discovery to allow evaluation of potentially significant cultural resources. The archaeologist shall contact the County Archaeologist at the time of discovery. The archaeologist, in consultation with County staff archaeologist, shall determine the significance of the discovered resources. The County Archaeologist must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the consulting archaeologist and approved by the County Archaeologist, then carried out using professional archaeological methods.
- h. If any human bones are discovered, the Principle Investigator shall contact the County Coroner. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains.

- i. Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered and features recorded using professional archaeological methods. The Principle Investigator shall determine the amount of material to be recovered for an adequate artifact sample for analysis.
  - j. In the event that previously unidentified cultural resources are discovered, all cultural material collected during the grading monitoring program shall be processed and curated according to current professional repository standards. The collections and associated records shall be transferred, including title, to an appropriate curation facility within San Diego County, to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.
  - k. In the event that previously unidentified cultural resources are discovered, a report documenting the field and analysis results and interpreting the artifact and research data within the research context shall be completed and submitted to the satisfaction of the Director of Planning and Land Use prior to the issuance of any building permits. The report will include Department of Parks and Recreation Primary and Archaeological Site forms.
  - l. In the event that no cultural resources are discovered, a brief letter to that effect shall be sent to the Director of Planning and Land Use by the consulting archaeologist that the grading monitoring activities have been completed.
- B. Provide Evidence to the Director of Planning and Land Use that the following notes have been placed on the Grading Plan:
- 1. The County certified archaeologist/historian and Native American monitor shall attend the pre-construction meeting with the contractors to explain and coordinate the requirements of the monitoring program.
  - 2. During the original cutting of previously undisturbed deposits, the archaeological monitor(s) and Native American monitor(s) shall be onsite full-time to perform full-time monitoring as determined by the

Principle Investigator of the excavations. The frequency of inspections will depend on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features.

3. In the event that previously unidentified potentially significant cultural resources are discovered, the archaeological monitor(s) shall have the authority to divert or temporarily halt ground disturbance operation in the area of discovery to allow evaluation of potentially significant cultural resources. The Principle Investigator shall contact the County Archaeologist at the time of discovery. The Principle Investigator, in consultation with County staff archaeologist, shall determine the significance of the discovered resources. The County Archaeologist must concur with the evaluation before construction activities will be allowed to resume in the affected area. For significant cultural resources, a Research Design and Data Recovery Program to mitigate impacts shall be prepared by the consulting archaeologist and approved by the County Archaeologist, then carried out using professional archaeological methods.
4. The consulting archaeologist shall monitor all areas identified for development.
5. If any human bones are discovered, the Principle Investigator shall contact the County Coroner. In the event that the remains are determined to be of Native American origin, the Most Likely Descendant, as identified by the Native American Heritage Commission, shall be contacted in order to determine proper treatment and disposition of the remains.
6. Prior to rough grading inspection sign-off, provide evidence that the field grading monitoring activities have been completed to the satisfaction of the Director of Planning and Land Use. Evidence shall be in the form of a letter from the Project Archaeologist.
7. Prior to Final Grading Release, submit to the satisfaction of the Director of Planning and Land Use, a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program. The report shall also include the following:
  - a. Department of Parks and Recreation Primary and Archaeological Site forms.

- b. Evidence from a curation facility within San Diego County that all cultural material collected during the grading monitoring program has been received for curation accompanied by payment of the fees necessary for permanent curation.

In the event that no cultural resources are discovered, a brief letter to that effect shall be sent to the Director of Planning and Land Use by the consulting archaeologist that the grading monitoring activities have been completed.

Or

Enter into a Secured Agreement with the County of San Diego, Department of Planning and Land Use, secured by a letter of credit, bond, or cash for 100 percent of the estimated costs associated with the preparation of the Final Report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program, and a 10 percent cash deposit not to exceed \$30,000. A cost estimate shall be submitted and approved by the Director of Planning and Land Use for the cost of preparing the Final Grading Monitoring that includes artifact analysis, and specialized studies such as lithics analysis, ceramics analysis, faunal analysis, floral analysis, assemblage analysis, and radiocarbon dating as determined by the Project Archaeologist in consultation with a County Staff Archaeologist.

- C. Prior to any occupancy or use of the premises pursuant to this Site Plan, the applicant shall:
  - 1. Complete and submit a final report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program to the satisfaction of the Director of Planning and Land Use. The report shall also include the following:
    - a. Department of Parks and Recreation Primary and Archaeological Site forms.
    - b. Evidence from a curation facility within San Diego County that all cultural material collected during the grading monitoring program has been received for curation

accompanied by payment of the fees necessary for permanent curation.

In the event that no cultural resources are discovered, a brief letter to that effect shall be sent to the Director of Planning and Land Use by the consulting archaeologist that the grading monitoring activities have been completed.

Or

Enter into a Secured Agreement with the County of San Diego, Department of Planning and Land Use, secured by a letter of credit, bond, or cash for 100 percent of the estimated costs associated with the preparation of the Final Report that documents the results, analysis, and conclusions of all phases of the Archaeological Monitoring Program, and a 10 percent cash deposit not to exceed \$30,000. A cost estimate shall be submitted and approved by the Director of Planning and Land Use for the cost of preparing the Final Grading Monitoring that includes artifact analysis, and specialized studies such as lithics analysis, ceramics analysis, faunal analysis, floral analysis, assemblage analysis, and radiocarbon dating as determined by the Project Archaeologist in consultation with County Staff Archaeologist.

### **Temporary Fencing**

Prior to obtaining any building or other permit pursuant to this Site Plan, and prior to commencement of construction of use of the property in reliance on this Site Plan, the applicant shall:

- A. Provide Evidence to the Director of Planning and Land Use that the following notes have been placed on the Grading Plan:

Prepare and implement a temporary fencing plan for the protection of archaeological site CA-SDI-11050 Locus A during any grading activities within one hundred feet (100') of the existing archaeological easement as shown on Site Plan 04-042 dated June 6, 2006. The fencing plan shall be prepared in consultation with a qualified archaeologist, to the satisfaction of the Director of the Department of Planning and Land Use. The fenced area should include a buffer sufficient to protect the archaeological site. The fence shall be installed under the supervision of the qualified

archaeologist prior to commencement of grading or brushing and be removed only after grading operations have been completed.

3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

**THE BELOW REQUIREMENTS ASSUME THAT SUITABLE EVIDENCE WILL BE PROVIDED TO DPW AND DPLU FOR LEGAL ACCESS FROM THE PROJECT TO SR-94 AT THE SR-94/MELODY ROAD INTERSECTION AND THAT SUCH LEGAL ACCESS WILL NOT REQUIRE COUNTY ASSISTANCE.**

**THE BELOW REQUIREMENTS ALSO ASSUME THAT THE APPLICANT WILL BE ABLE TO OBTAIN ALL OFF-SITE RIGHTS RELATIVE TO GRADING/SIGHT DISTANCE AND ANY OTHER OFF-SITE RIGHTS NOT READILY APPARENT TO DPW WITHOUT COUNTY ASSISTANCE.**

A. Prior to obtaining any building permits pursuant to this Site Plan, the applicant shall complete the following requirements:

1. **THIS PROJECT IS SUBJECT TO THE CENTERLINE ORDINANCE AS PER SECTION 51.506(A). IT IS RECOMMENDED THAT THE APPLICANT INITIATE THE CENTERLINE REVIEW PROCESS WITH THE BUILDING OFFICIAL (IN THE DEPARTMENT OF PLANNING AND LAND USE) AND DPW AS EARLY AS POSSIBLE IN ORDER TO COORDINATE DEPARTMENTAL REQUIREMENTS AND PROCESSING TIME. REQUIREMENTS MAY INCLUDE GRANTING OF RIGHT-OF-WAY, RELINQUISHMENT OF ACCESS RIGHTS, TRAFFIC STRIPING, INSTALLATION OF CURB, GUTTER, SIDEWALK, STREET LIGHTS, AND UNDERGROUNDING OF UTILITY DISTRIBUTION FACILITIES.**



2. A grading permit will be required prior to commencing of the grading where quantities exceed 200 cubic yards of material and/or cuts or fills of eight-feet (8') or more in height per criteria of Section 87.202 of the County Code.
3. Access to the project site will be improved per the San Diego County Private Road Standards, unless evidence is provided to the Department of Planning and Land Use (DPLU) showing that the project access is approved to the satisfaction of the Rural Fire Protection District and the Director of Public Works.
4. The project driveway(s) shall be designed and constructed according to San Diego County Design Standards & San Diego County Public Road Standards and approved to the satisfaction of the Director of Public Works.
5. The applicant is responsible for maintenance and repair of any damage caused by them to the on-site and off-site private roads that serve the property.
6. Have a registered civil engineer, a registered traffic engineer, or a licensed land surveyor provide a signed statement that: "Physically, there is a minimum of 605' of unobstructed sight distance looking in both directions along SR-94 from the proposed private easement road serving the project which is opposite to Melody Road, per Section 6.1.E of the County Public Road Standards (approved July 14, 1999)". If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that: "said lines of sight fall within the existing right-of-way and a clear space easement is not required." All of the foregoing shall be to the satisfaction CalTrans and the Director of Public Works.
7. Obtain a Construction Permit from the Department of Public Works for work within the County right-of-way.
8. Relinquish access rights onto SR-94 except for one (1) forty-foot (40') wide opening for the proposed access private road easement serving the project which is opposite to Melody Road. All of the foregoing shall be to the satisfaction of the Director of Public Works.

9. Offer to dedicate right-of-way for SR-94 to a one-half right-of-way width of eighty-six feet (86') from the centerline of SR-94, together with the right to construct and maintain slopes and drainage facilities. The offer shall be rejected and shall show the ultimate limits of the slopes and drainage facilities.
- B. Prior to occupancy or use of the premises pursuant to the Site Plan, the applicant shall complete the following requirements:
1. The developer shall record an easement with covenant in accordance with County guideline Category 2 mechanism to assure maintenance. Ref: Ordinance 9424 Section 67.819 Maintenance of BMPs. All of the foregoing shall be to the satisfaction of the Director of Public Works.
  2. This project must address/consider rights of way, and/or any rights that other properties may have for the existing Peaceful Valley Ranch Road through this project. All of the foregoing shall be to the satisfaction of the Director of Public Works.
  3. Furnish the Director of Planning and Land Use, along with their request for final inspection, a letter from the Director of Public Works, stating Condition(s) A-1 through B-2 have been completed to that department's satisfaction.
- C. The following shall apply for the duration of this Site Plan:
1. Comply with all applicable stormwater regulations at all times. The activities proposed under this application are subject to enforcement under permits from the San Diego Regional Water Quality Control Board (RWQCB) and the County of San Diego Watershed Protection, Stormwater Management, and Discharge Control Ordinance (Ordinance No. 9424 and Ordinance No. 9426) and all other applicable ordinances and standards. This includes requirements for materials and wastes control, erosion control, and sediment control on the project site. Projects that involve areas greater than 1 acre require that the property owner keep additional and updated information onsite concerning stormwater runoff. This requirement shall be to the satisfaction of the Director of Public Works.

September 7, 2006

**ADOPTION STATEMENT:** This Mitigated Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

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on \_\_\_\_\_

CATHY CIBIT, Planning Manager  
Regulatory Planning Division

CC:EM:jcr

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